



# REOPENING RESTAURANTS

## RESTAURANT RECOVERY OUTDOOR SEATING PILOT PROGRAM

### PURPOSE:

The City of Miami Beach intends to provide additional opportunities for restaurants to provide outdoor dining in an effort to promote the economic recovery of the City's restaurants, as well as provide an opportunity for City residents to resume dining at local businesses. Accordingly, on May 13, 2020, the City Commission adopted Resolution No. 2020-31276, creating the Restaurant Recovery Outdoor Seating Pilot Program (the "Program"). The Program is intended to be temporary in nature, and shall remain in effect through September 30, 2020, or until otherwise extended. The Program will supplement the City's formal sidewalk café permit process, in a business-friendly manner and to allow for an expedited process. To this end, the City's standard requirement for stamped engineering plans will be waived. All requirements of the State of Florida, Miami-Dade County, and the City of Miami Beach as they relate to the operation of restaurants and food service establishments must be adhered to at all times; In the event of a conflict between these guidelines and any State, County, or City law, ordinance, resolution, or order, including an emergency order, these guidelines shall be considered secondary to any such conflicting provision.

### APPLICATION CHECKLIST:

When applying for this Special Event Permit, please submit the following:

- Application
- Business Tax Receipt (BTR)
- Certificate of Liability Insurance (COI)
- Site Plan (to scale)

### APPLICATION PROCESS:

An application form will be required to participate in the Program, which application will require the owner operator of the restaurant to comply with all applicable laws and requirements for serving food, all applicable provisions of the City's Sidewalk Café Ordinance (set forth in Chapter 82, Article IV, Division 5 of the City Code), all directives of the City Manager associated with the operation of a Sidewalk Café, and Miami Dade County and City Emergency Orders and social distancing/sanitation requirements. A current BTR certificate and certificate of insurance must be attached. The Applicant shall submit a site plan showing tables and chairs and clearly showing all necessary separations. The total proposed number of tables/chairs to be utilized, inclusive of the expanded area, cannot exceed the establishment's total seating capacity pursuant to the establishment's existing BTR. The complete application can be submitted through the Citizen Self Service (CSS) Portal ([www.MBSelfservice.com](http://www.MBSelfservice.com)), under Public Works Special Event. No fee shall be required to operate expanded outdoor seating areas pursuant to the program. If you have any questions, the Right of Way general inbox ([rightofway@miamibeachfl.gov](mailto:rightofway@miamibeachfl.gov)) will serve as a centralized location for questions and concerns. If you have additional questions, please feel free to contact Otniel Rodriguez at 305.673.7080 or via email: [otnielrodriguez@miamibeachfl.gov](mailto:otnielrodriguez@miamibeachfl.gov) or Karen Barrios at 305.673.7080 or via email: [karenbarrios@miamibeachfl.gov](mailto:karenbarrios@miamibeachfl.gov).



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## SIDEWALK CAFÉ PLANS CHECKLIST

- Plans must show proposed layout and dimensions of the proposed seating area(s); proposed location, size, and number of tables, chairs and umbrellas; and location of doorways, steps, trees and/or landscaped areas, fountains, parking meters, fire hydrants, bus shelters, directory/kiosks, public benches, trash receptacles, and any other existing fixtures, furnishings and/or other obstruction(s) within the proposed expanded outdoor seating area.
- Delineate area to be occupied in the street/sidewalk area
- Minimum 6 feet separation from back of chair to back of chair
- Plans must show the total seating capacity originally permitted, and the total proposed seating capacity, inclusive of the expanded area. The proposed seating cannot exceed the establishment's existing total seating capacity.
- The only furniture allowed is tables, chairs and umbrellas (no fans)
- Umbrellas shall be inherently flame retardant
- Umbrella Dimensions: 10' diameter or 10' x 10' max
- Umbrellas must be free-standing and shall not be bolted or otherwise permanently attached to the pavement
- Name and address of Restaurant
- Meet all ADA requirements
- If expansion is proposed on privately-owned adjacent property, the adjacent property owner must be a co-applicant on the permit

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## SIDEWALK/OUTDOOR CAFÉ EXPANSION SPECIAL EVENT PERMIT

Name of Restaurant: \_\_\_\_\_

Address: \_\_\_\_\_

Restaurant's Business Tax Receipt (BTR): \_\_\_\_\_

# of Chairs Approved as listed on BTR: \_\_\_\_\_

# of Chairs Approved pursuant to a Sidewalk Café Permit (if applicable): \_\_\_\_\_

Proposed # Chairs Inside: \_\_\_\_\_

Proposed # Chairs Outside: \_\_\_\_\_

Applicant acknowledges and agrees to comply with all applicable laws in connection with the activities that may be authorized under any Sidewalk Café Expansion Special Event Permit, including, without limitation, the requirements of City Resolution No. 2020-31276 all social distancing and sanitation requirements set forth in any Miami-Dade County Emergency Order (including Emergency Order 23-20, as amended), or City Emergency Order.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

Application is hereby made for the sidewalk café special event permit/restaurant described herein, pursuant to City Commission Resolution No. 2020-31276 approving the Restaurant Recovery Outdoor Seating Program ("Temporary Expansion Program"). I have reviewed this application and all information herein is true and correct. I understand that this is an application only and submission thereof does not authorize me to begin operation within the proposed expanded area for a sidewalk cafe. I may begin operation only after the Sidewalk Café Expansion Special Event Permit ("Permit") has been issued. Any Permit issued for the Temporary Expansion Program shall be separate from, and shall not otherwise alter or amend the terms of, any existing sidewalk café permits issued pursuant to Chapter 82, Article IV, Division 5 of the City Code (the "Sidewalk Café Ordinance").

I acknowledge that I have received a copy of the City's sidewalk café ordinance and Resolution 2020-31276, and further acknowledge that I am familiar with, and shall strictly adhere to, the social distancing and sanitation requirements set forth in Miami-Dade County Emergency Orders (including Miami-Dade County Emergency Order 23-20) and City Emergency Orders.

Pursuant to the City's Special Event Permit Ordinance, as codified in Chapter 12-5 of the City Code, and Resolution 2020-31276 creating the Temporary Expansion Program, the City reserves the right to change,



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modify, or revoke the Permit at any time. The City's approval of a Permit, as conditioned herein, does not, in any way, grant or otherwise imply, vested rights by the Permittee, or any third party claiming by and/or through the Permittee, to any part of the City of Miami Beach's rights-of-way. The Permittee acknowledges that any amendments to the Temporary Expansion Program, as may be approved by the City Commission, may alter the initial rights granted to the Permittee pursuant to the Permit and may require changes to said Permit including, but not limited to, reconfiguration of Permittee's permit area and/or sidewalk café site plan.

Additionally, as partial consideration for the City's approval of Permit pursuant to the Temporary Expansion Program, the Permittee further agrees to hold the City of Miami Beach, and all of its officers, agents, and employees harmless from any claim, loss, damage, costs, charge, or expense arising out of any act, error, omission, or negligent act by the City, its agents, or employees, as a result of any changes and/or additions to a Sidewalk Café Permit during the Permit Year. The Permittee agrees to indemnify, defend, save and hold harmless the City, its officers and employees from any and all claims, liability, lawsuits, damages and causes of action which may arise out of the permit or the Permittee's activity on the public right-of-way. The Permittee hereby further waives and relinquishes any legal rights and monetary claims which it might have for compensation or damages of any sort, including special damages, severance damages, legal costs, or loss of business profits resulting from any changes and/or additions to Permittee's Sidewalk Café Permit.

\_\_\_\_\_  
signature of affiant

\_\_\_\_\_  
business name

\_\_\_\_\_  
business address

Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by  
\_\_\_\_\_ who  is personally known to me or  produced a  
\_\_\_\_\_ as identification.

\_\_\_\_\_  
notary public signature

\_\_\_\_\_  
notary public print name



AREAS	SQ. FT.	TABLES	CHAIRS
INTERIOR			
EXTERIOR	400	4	16
SWC (if applicable)			
TOTAL			

